

Superior Town Council Town Council Meeting

**Thursday, July 19, 2007
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 7:10 p.m.

B. Salute to the Flag

Mayor Hing led the Town Council, staff and the audience in the Pledge to the Flag.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Valenzuela, Councilmember Cervantes, Councilmember Heglie, Councilmember Lopez, Councilmember Peralta, Mayor Hing, Councilmember Marquez

A quorum was established and the meeting continued

Mayor Hing recessed the meeting to allow the councilmember's the opportunity to view the new ambulance purchased by the Town. Chief Gray gave a brief report on the ambulance and explained some of the features of the ambulance.

The meeting recessed until 7:25 p.m. – Mayor Hing called the meeting to order.

F. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

1. Approval of Minutes for Regular Meeting July 5, 2007
2. Blanket Permit Request (St. Francis of Assisi Church fundraising for 2007-2008)
3. Blanket Permit Request (Superior Historical Society fundraising 2007-2008)

Councilmember Peralta made a motion to approve the consent agenda. Councilmember Heglie seconded the motion. The motion was approved unanimously.

F. Communications

1. Public Works Report – Robert Cervantes

Councilmember Cervantes gave a report on the Public Works Department. He explained that they increased the size of the public works crew and began the contract process for using Arizona Department of Corrections inmates for public works laborers. Councilmember Cervantes also reported on other projects for the Waste Water Treatment Plant and parks throughout the town. Mayor Hing as well as several audience members, staff and resident all complimented and thanked Mr. Cervantes for his work and dedication while he volunteered as Public Works Director.

1. Managers Report – Rosie Cordova

Ms. Cordova thanked Mr. Cervantes for his work as public works director and also reviewed several communications with the Mayor and Council. Issues reported on were a full page ad in the Arizona Technology Magazine congratulating Superior for going wireless the ad was provided by the Arizona Department of Commerce.

Delinquent Sewer Bills – Ms. Cordova reported on the delinquent sewer bills and reviewed methods of collection for the overdue bills. Council directed staff to work with Mr. Beers on a process to collect on the debts. The Council suggested putting an advertisement in the paper listing the delinquent accounts which had been done in the past.

Sister City – Ms. Cordova explained that Councilmember Marquez and Councilmember Heglie would be working on a Sister City project, she explained that town could sponsor a resolution to have a sister city but explained that the town could not fund the project.

Air Port - Ms. Cordova also reported on the Airport and explained that there are grant funds available for the airport through ADOTS Airport Improvement Plan funds. Ms. Strubel from Wildan gave an explanation on the grant and uses of those funds.

Library – Ms. Cordova explained that there was a burglary at the library. She reported that Public Works secured the building and a police report was filed.

Home Rule – Ms. Cordova explained that she spoke with an attorney and had good news to report. She explained that the town does have other options and they could talk with their local legislators to ask for forgiveness should sanctions be placed on the town. The other option would be to see if the town violated home rule by having a thorough audit completed to see if the town went over the expenditure limits, she explained that funds used from grants and bonds would not be included, and it was possible that the town will not violate the expenditure limitation.

Mayor Hing explained that he is tired of the blaming on this issue. He explained that as Mayor he would take the blame and he has heard there will be a recall and he explained that he should be the one recalled not the entire council as he was the one mostly working in the town hall. He commended the council as been a working council and they should not be recalled because of this issue. Mayor Hing explained that not having the home rule election was something that was missed due to turn over of staff and not having any one with any institutional memory.

Industrial Park request – Ms. Cordova reviewed the request by a tenant of the Industrial Park. She explained that the company is trying to locate a portable building that would be used for a paint booth for the business. She explained that due to several CC&R's set by BHP at this time it could not be located in the industrial park. Discussion followed regarding BHP releasing the CC&R's. BHP is willing to release the CC&R's and staff is working with BHP's legal team on this process.

Main St. – Ms. Cordova gave an update on Main St. construction. She explained that she would be working with CAAG on the HURF funds and allocating the money for the project.

Planning and Zoning – Ms. Cordova reported that 4 applications have been received and three of them have completed the additional questionnaire. She explained that they have until the following week to turn them in so the council can vote on the two open spaces on the planning and zoning commission. Councilmember Heglie asked about the membership of Mr. Lira. He stated that Mr. Lira has been ill and requested that staff inquire on whether or not he wished to remain on the council.

Fire Station – Ms. Cordova explained that Wildan has approved the plans set forth by Mr. Gomez. She explained that Wildan recommended that even though there have been some issues with Mr. Gomez they should still continue to work with him on completing the project. Mayor Hing explained that Mr. Gomez is apologetic for the delays and explained that a timeline should be established for the work to be done.

Small Area Transportation – Ms. Cordova explained that Ms. Strubel would assist with this presentation. Ms. Strubel explained that the small area transportation study was required by the state for cities and towns to complete this study every ten years. She explained that the study would identify traffic patterns, where new roads should be, how each road should be classified and identify access to areas within the community. She explained that the town has received 3 proposals for agencies to complete the study and that the town would be voting for to enter an agreement later in the meeting.

Special Planning Area – Ms. Strubel presented to the council information on the Special Planning Area (SPA) designation for the High School Property. She reviewed other SPA's within the town boundaries and explained that the even if the council granted a special planning area all zoning changes would still have to go before the council and planning and zoning.

Magma Hotel – Ms. Strubel also explained that she has been assisting the town with the issues surrounding the Magma Hotel. She reported that the owners would need to have a structural engineer examine the building and identify the required changes to make it suitable for occupancy. Chief Digirolamo reviewed the town's options to condemn the building and how to enforce the zoning. He explained that the bulging walls do present a clear danger to the public and that could be a reason to condemn the building. He explained that the owners have been working with Sergeant Strong.

3. **Resolution Copper** – Mayor Hing referenced a green folder that was given to each

councilmember he explained that he and Councilmember Cervantes met with Mr. Rickus President of Resolution Copper and together they drafted an agreement which included a yearly payment of \$100,000 from Resolution to the town for Police and Fire Services, a Social Impact Committee that would identify needs within the community for parks, libraries and other social needs, and that the company would hire a consultant that would identify what the company would be paying to the town if they were included with the cities property and sales tax. Mayor Hing also updated the council on the land swap and how that will affect the community. He explained that they would be meeting again to discuss the Oak Flat Campgrounds and alternative campground locations. Councilmember Valenzuela questioned whether or not this agreement would stand if the Land Swap did not go through. Mayor Hing explained that the agreement was contingent on the land exchange. Councilmember Valenzuela explained that he did not see Resolution pulling out if the land exchange did not happen. Questions and discussion followed in regards to monies owed to the town by Resolution, identifying mine property for parks for the kids.

A. Call to the Public

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

Jim Gilbert – Explained that he was going to speak on three items, he also expressed his concern over the length of the meetings and requested that they not take so long. He explained that all employees and contractors get ongoing random drug testing including the town attorney. Mr. Gilbert thanked Mr. Cervantes for serving as public works director and explained that each councilmember should be in charge or oversee a department so they can understand how things really work and that would help them understand what is going on. Mr. Gilbert explained that he would no longer be the spokesperson for the New Men on the Block and that a new spokesperson would be elected. He explained that he would be taking a more active role in planning things for the group.

He wished everyone good luck and asked that the council attempt to press charges on the former mayor. He also said that three of the councilmember's should resign as well as the town manager.

Manuel Ortega – Reported that the council should review the land exchange bill more carefully because the city is going to get messed up. He explained that his information comes from an environmental group called earthworks. He also stated that they have petitions that have been signed by people who do not want the land exchange to happen. He also announced that the council has awoken a sleeping giant with their current agenda on zoning changes, the land swap and home rule. He said that there are people ready to run in the recall.

A. Business

Possible Discussion and/or action on the following

1. Presentation regarding Research Project involving places for residents of Superior

Dr. Steven Semken from Arizona State University gave a presentation on a geology and mineral class he teaches in Superior for the local teachers to learn more about geology. He explained that his program has received a grant develop a

program that would help local residents explain what the shapes or location of the mountains mean to them. He explained that they would be interviewing local residents about the land

1. Discuss/Approve/Reject entering into a mutual aid agreement with other law enforcement agencies within Pinal County – Chief Digirolamo

Chief Digirolamo publicly thanked Councilmember Cervantes for his work with in the Public Works Department; he explained that Councilmember Cervantes helped to save the department a lot of money.

Chief Digirolamo reported on the mutual aid agreement. He explained that by approving this agreement it would allow the Police Department to share resources should their be an emergency. It would allow the Superior Police Department to assist another Pinal County entity or allow them to assist Superior should their be a severe emergency. He explained that Superior or any entity would only be of aid if they had adequate manpower to cover their community and the emergency. Councilmember Peralta made a motion to approve the entering the agreement. Councilmember Heglie seconded the motion. The motion was approved unanimously

1. Discuss/Approve/Reject intergovernmental agreement between the State of Arizona and Town of Superior to conduct the Small Area Transportation Study. – Rosie Cordova

Ms. Cordova explained this item was to approve an intergovernmental agreement with ADOT to complete a small area transportation study. She explained that the city would have to tighten the budget in other areas to cover the cost overrun that was not budgeted for.

Councilmember Lopez made a motion to enter into an intergovernmental agreement with ADOT for the Small Area Transportation Study. Councilmember Marquez seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject Air Medical Helicopter Proposals for establishing air Medical Service for the Town of Superior – Chief Gray

Chief Gray explained that Air Medical was the only company who submitted a proposal from the towns request for proposals for the air ambulance services. He explained that this company is a leading company in providing air ambulance service and is very excited to have the opportunity to develop in Superior. Mr. Grey explained that at this time he is requesting permission to enter into negotiations with Air Medical so they can discuss the land value and required infrastructure. Councilmember Peralta commented that she has worked with Air Medical on several occasions and explained that they are a very good company to work with. Mr. Gutierrez also made the same remarks.

Councilmember Peralta made a motion for the town to enter into negotiations with Air Medical. Councilmember Heglie seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject renewal of the medical health plan for employees – Rosie Cordova

Ms. Cordova explained that the cost of the employee health plan has gone up. She explained that staff had researched other insurance carriers and there were not

any cheaper options that the town would qualify for. Discussion followed regarding family coverage, and multiple agency insurance pools.

Mayor Hing explained to Councilmember Peralta that the Council could enroll in the employee health plan if they wish.

Councilmember Heglie made a motion to renew the medical plan. Councilmember Peralta seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject request for proposals for Recycling Collection

Mayor Hing explained that this was one of the priorities addressed at the town retreat. He explained that this agenda item would allow the Town to request proposals from entities to set up a metal recycling/salvage area around the current Waste Water Treatment Plant/Garbage Dump. He explained that the ideal proposal would indicate the operators of the recycling center would assist the town with keeping the dump open and making sure things went into the appropriate dumpsters. Mayor Hing explained that this would not cost the town money but actually help the town to save money and keep the town cleaner.

Councilmember Peralta made a motion to request for proposals for recycling collection. Councilmember Heglie seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject sale or trade of town property

Mayor Hing explained that a local property owner who owns several parcels on Main St. may be interested in trading his properties on Main St. for the Town's old swimming pool property.

Mr. Beers explained that there may be state or city statutes that would define how a trade or sale of town property be done.

Councilmember Valenzuela addressed the issues with the current town hall not having adequate space or heating and cooling. He suggested that the town look into moving Town Hall into the Belmont Building since it had previously been used as an office building. Discussion followed regarding the use of the Belmont Building as town hall. Council directed staff to post for a council work session for the first council meeting in August to tour the Belmont building. Councilmember Peralta explained that a 6:30 p.m. work session would be a better time for the councilmember's who work out of town.

No action was taken on this item

1. Discuss/Approve/Reject Resolution 460 authorizing submission of an application for transportation enhancement funds. – Mila Lira

Ms. Lira introduced Ms. Oliver who works with her on the grant writing for the town of Superior. She explained that both of them are very excited to work with town on these special projects.

Ms. Lira and Ms. Oliver reviewed the objections of the grant and explained that if received the funds would be allocated for the enhancement of the US 60 Park and gateway signage for the eastern and western entrances to the community. They explained that the grant amount would not exceed \$500,000 and the town's cash

match would not exceed \$28,000.

Ms. Cordova read the resolution heading. Councilmember Lopez made a motion to approve resolution 460. Councilmember Marquez seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject Ordinance No. 93 pertaining to the National Flood Insurance Program – Rosie Cordova

Ms. Cordova explained that this ordinance would approve adopting Pinal County's procedures for flood management, the revised flood insurance study, flood insurance rates and maps and the floodplain management. She explained that Pinal County does the study which indicates flood areas. Discussion followed regarding changes to drainage systems and water routes. Ms. Cordova read the ordinance heading.

Councilmember Heglie made a motion to approve Ordinance No. 93. Councilmember Lopez seconded the motion. The motion was approved unanimously.

Mayor Hing announced that there would not be an executive session.

I. Council Comments

Councilmember Peralta

Councilmember Peralta thanked Mayor Hing for standing up to Mr. Gilbert.

Councilmember Cervantes

Councilmember Cervantes thanked everyone for their compliments and expressed his joy on not volunteering for the Public Works Department any longer.

Councilmember Heglie

Councilmember Heglie announced he agreed with Councilmember Peralta

Councilmember Valenzuela

Councilmember Valenzuela thanked Councilmember Cervantes for his volunteer service to the public works department. He also explained that he is not happy with the current hiring practices of the town. He referenced a comment made by Ms. Cordova regarding creating a stable team from within and how he thought she would utilize that principle. He explained that he hopes the new public works director proves him wrong.

Councilmember Valenzuela also referenced the issues surrounding the Home Rule problem. He expressed that the town should begin to talk with the legislators and senators to ask for forgiveness and that a recall would be ridiculous and expensive.

Councilmember Lopez

Councilmember Lopez also thanked Councilmember Cervantes for his service to the public works department and explained that she would like a listing of the all the councilmember's new cell numbers and also the department head cell phones.

Councilmember Marquez

No Comments

Mayor Hing

Mayor Hing thanked Councilmember Cervantes for his service and asked him to please assist the new public works director as he transitions and to share his ideas with the new director. Mayor Hing apologized for the meeting being so long.

J. Executive Session – Was not held

K. In Public Session

Executive Session Discussion

A. Adjournment

Councilmember Lopez made a motion to adjourn the meeting. Councilmember Heglie seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:10 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 19th Day of July 2007. I further certify that the meeting was duly called and held and that a quorum was present.

/s/ Rosie Cordova
Rosie Cordova
Town Manager/Clerk

These minutes have been transcribed and complied by
Mila Lira
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